



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Inventors: Bjorn Bengtsson)	Group Art Unit: 2858
)	
Serial No.: 09/987,991)	Examiner: Amy HE
)	
Filed: November 16, 2001)	

For: SYSTEM AND METHOD FOR VOLTAGE DIVIDER HAVING A GUARD
STRUCTURE

**REQUEST (APPLICATION) FOR RECONSIDERATION OF PATENT TERM
ADJUSTMENT**

Director for United States Patent
and Trademark Office
Washington, D.C. 20231

Sir:

Applicants respectfully submit a Request for Reconsideration of Patent Term Adjustment along with the Submission of Issue Fee for the above-identified patent application (the "Application"). In accordance with 37 C.F.R. §§ 1.702, 1.703 and 1.705, Applicant respectfully requests the Commissioner to reconsider the patent term of the above-identified invention to compensate for the Assignees' time lost due to examination delay in the U.S. Patent and Trademark Office (the "Patent Office").

In accordance with 37 C.F.R. § 1.703 (a)(1), "Period of Adjustment of patent term due to Examination delay, the number of days, if any, in the period beginning on the day after the date that is fourteen months after the date on which the application fulfilled the requirements of 35 U.S.C. 371 and ending on the date of mailing of either an action under 35 U.S.C. 132, or a notice of allowance under 35 U.S.C. 151, whichever occurs first".

A timeline of the application is included in Attachment A.

The resulting delay between the fulfillment of the requirements of 35 U.S.C. 371 and the mailing of the first Office Action was over fourteen months by **11** days. That is, Applicant fulfilled the requirements of 35 U.S.C. 371 on 1/29/2002. Fourteen months thereafter is 3/29/2003. The first Office Action was mailed 4/9/2003.

Further, under § 1.703(a)(2), Applicant filed an Office Action response on 1/6/2004. Four months thereafter is 5/6/2004. However, the Notice of Allowance was not mailed until 8/31/2004. Thus, the time period over the allotted four months is calculated to be **117** days.

Accordingly, Applicant submits that the term extension should be **128** days, and not the 0 days as indicated on the Determination of Patent term Adjustment.

Applicant respectfully requests that the term of the Application be extended to **128** days to compensate for the PTO examination delay. In order to correct the examination delay and to protect the Assignees from unnecessary loss of patent rights as a result thereof, the Applicant respectfully requests the Honorable Director to exercise the power granted under 37 C.F.R. §§ [1.182 and 1.701] to extend the benefits of 37 C.F.R. [1.702] to this application, and that the term of the Patent issued for the Application be extended in accordance with 37 C.F.R. [1.705].

On the basis of the foregoing, the Applicant respectfully requests the granting of this Request for Reconsideration of Patent Term Adjustment.

This patent is not subject to a terminal disclaimer. Applicant submits that there were no circumstances constituting a failure to engage in reasonable efforts to conclude processing or examination of such application as set forth in § 704. In particular, Applicant notes that a response to Missing Parts Notice and the two respective Office Action Responses were filed within the allotted time.

Also enclosed is a fee of \$200.00, as required by 37 C.F.R. 1.18(e). In the event that any additional fees are due in connection with filing this Petition, the Commissioner is hereby authorized to charge all required fees to the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS

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Dated: November 30, 2004



Attachment A: Prosecution Timeline

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PROSECUTION TIMELINE

11/16/2001	Filing of New U.S. Patent Application;
12/04/2001	<i>Filing Receipt; Notice of File Missing Parts of Application, (Foreign filing license granted for 12/04/2001);</i>
01/29/2002	Response to Notice of File Missing parts of Application, and Executed Joint Declaration and Executed Joint Assignment;
02/06/2002	<i>Updated Filing Receipt;</i>
03/29/2002	<i>Notice of Recordation of Assignment Document;</i>
04/09/2003	<i>First Office Action (Non-Final) mailed;</i>
05/29/2003	<i>Notice of Publication of Application;</i>
07/09/2003	Amendment and Request for Approval of Drawing Corrections filed;
10/06/2003	<i>Office Action mailed (Non-Final) mailed;</i>
01/06/2004	Amendment;
08/31/2004	<i>Notice of Allowance and Issue Fee Due, (Patent Term Adjustment indicated as 0 Days);</i>
11/30/2004	Submission of Issue Fee Payment, and Request for Reconsideration of Patent Term Adjustment.